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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

MARKISHA MAJOR

v.

PHILADELPHIA POLICE OFFICER  
DAVID MOCKUS, Badge #4750  
and  
PHILADELPHIA POLICE OFFICER  
RAYMOND HALL, Badge #2920  
and  
PHILADELPHIA POLICE OFFICER  
VINCENT GUARNA, Badge #9032  
and  
CITY OF PHILADELPHIA

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5107

CIVIL ACTION NO.

**JURY TRIAL DEMANDED**

**CIVIL ACTION COMPLAINT**

1. This is an action for money damages brought pursuant to 42 U.S.C. § 1983 and under the common law of the Commonwealth of Pennsylvania.

2. This Court has jurisdiction of this action under 42 U.S.C. § 1983 and 28 U.S.C. § 1331. Plaintiff further invokes supplemental jurisdiction of this Court to hear and decide claims arising under state law.

**PARTIES**

3. Plaintiff is **MARKISHA MAJOR**, an adult individual residing at 5101 Duffield Street in Philadelphia, Pennsylvania.

4. Defendant is **POLICE OFFICER DAVID MOCKUS, Badge #4750**, an adult individual employed as a police officer for the City of Philadelphia who was employed in such capacity at all times material hereto and who was among the officers who assaulted and arrested the plaintiff, Markisha Major, on September 23, 2014.

5. Defendant is also **POLICE OFFICER RAYMOND HALL, Badge #2920**, an adult

individual employed as a police officer for the City of Philadelphia who was employed in such capacity at all times material hereto and who was among the officers who assaulted and arrested the plaintiff, Markisha Major, on September 23, 2014.

6. Defendant is also **POLICE OFFICER VINCENT GUARNA, Badge #9032**, an adult individual employed as a police officer for the City of Philadelphia who was employed in such capacity at all times material hereto and who was among the officers who assaulted and arrested the plaintiff, Markisha Major, on September 23, 2014.

7. Defendant is also **CITY OF PHILADELPHIA**, a city of the first class located in the County of Philadelphia, organized and operating pursuant to state and local laws, in its capacity as the employer of the defendant Philadelphia Police Officers, with an address of c/o City Law Department, 1515 Arch Street in Philadelphia, Pennsylvania.

#### **FACTS**

8. At all times material hereto, Defendants Police Officer David Mockus, Badge #4750; Police Officer Raymond Hall, Badge #2920; and Police Officer Vincent Guarna, Badge #9032 were police officers of the City of Philadelphia and were acting in their capacities as agents, servants, workers, and employees of this entity under its direction and control and were acting pursuant to either official policy or the custom, practice, and usage of the City of Philadelphia's Police Department.

9. Defendant City of Philadelphia, in this cause, acted through its agents, servants, workers, and employees, who was or were the policymakers for the City of Philadelphia and for its employees, including Defendants Police Officer David Mockus, Badge #4750; Police Officer Raymond Hall, Badge #2920; and Police Officer Vincent Guarna, Badge #9032, who, along with other officers, were involved in the arrest and assault and/or beating of Plaintiff Markisha Major, on or about September 23, 2014.

10. On September 23, 2014 at approximately 8:03 p.m., the plaintiff, Markisha Major,

was arrested by officers of Defendant City of Philadelphia's police department including Defendants Police Officer David Mockus, Badge #4750 and Police Officer Raymond Hall, Badge #2920.

12. Upon hearing a disturbance on the front porch of Plaintiff's residence at 5101 Duffield Street in Philadelphia, Pennsylvania, Plaintiff came outside to determine what was occurring, at which point she encountered Defendants Police Officer David Mockus, Badge #4750 and Police Officer Raymond Hall, Badge #2920, who subjected Plaintiff to unreasonable, unnecessary, and excessive physical force, which included but was not limited to: slamming her body into hard surfaces, pushing and hitting.

13. Following the assault, Defendant Police Officer Raymond Hall, Badge #2920 arrested the plaintiff, Markisha Major, without cause or justification, the report of which arrest was written by Defendant Police Officer Vincent Guarna, Badge #9032.

14. As a result of the above assault, the plaintiff, Markisha Major, sustained personal injuries including but not limited to: cervical spine sprain and strain, bilateral wrist sprain and strain, lumbar spine sprain and strain, multiple leg and facial contusions, and other injuries and conditions more fully set forth in the reports and records of Plaintiff's treating physicians.

15. Before the plaintiff was arrested by Defendant Police Officer Raymond Hall, Badge #2920, she was subjected to unnecessary and unreasonable force and deprived of her liberty in violation of the civil rights guaranteed to her by the Fourth and Fourteenth Amendments to the United States Constitution and 42 U.S.C. Section 1983, the application of which force was a factual cause of the injury to the plaintiff's person.

16. The foregoing actions of Philadelphia Police Officers, including but not limited to Defendants Police Officer David Mockus, Badge #4750; Police Officer Raymond Hall, Badge #2920; and Police Officer Vincent Guarna, Badge #9032, constituted a violation of the plaintiff's constitutional right to be free from the use of excessive force and a violation of her right to be

free from summary punishment.

17. After the assault and battery inflicted upon her by the defendant police officers, the plaintiff suffered pain and suffering and endured humiliation and embarrassment.

18. As a direct and proximate result of the said acts, the plaintiff suffered injuries and damages including but not limited to the following:

- a) violation of her constitutional right to be free from the use of excessive force;
- b) violation of her right to be free from summary punishment;
- c) loss of physical liberty;
- d) physical pain and suffering;
- e) multiple sprains, strains, and contusions;
- f) emotional upset and trauma;
- g) humiliation and embarrassment; *and*
- h) injury to her reputation.

All entitling her to compensatory and punitive damages as set forth below.

#### **COUNT I**

#### **42 U.S.C. § 1983 AGAINST DEFENDANT OFFICERS**

19. Paragraphs 1 through 18 are incorporated herein by reference as though fully set forth at length.

20. Plaintiff Markisha Major claims damages against Defendants Police Officer David Mockus, Badge #4750; Police Officer Raymond Hall, Badge #2920; and Police Officer Vincent Guarna, Badge #9032, as well as other City of Philadelphia police officers involved in the arrest and beating of the plaintiff, Markisha Major, individually and in their official capacities, for the injuries and damages set forth above under 42 U.S.C. § 1983 for violation of the plaintiff's constitutional rights under color of state law.

## **COUNT II**

### **ASSAULT AND BATTERY AGAINST DEFENDANT OFFICERS**

21. Paragraphs 1 through 20 are incorporated herein by reference as though fully set forth at length.

22. Defendant Philadelphia Police Officers involved in the beating of the plaintiff, Markisha Major, including but not limited to Defendants Police Officer David Mockus, Badge #4750 and Police Officer Raymond Hall, Badge #2920, assaulted and battered the plaintiff prior to arresting her.

23. As a result of this assault and battery, the plaintiff suffered the aforesaid injuries and damages.

## **COUNT III**

### **FEDERAL CIVIL RIGHTS VIOLATIONS, 42 U.S.C. § 1983 CLAIM AGAINST DEFENDANT, CITY OF PHILADELPHIA**

24. Paragraphs 1 through 23 are incorporated here by reference as though fully set forth at length.

25. As a direct and proximate result of the defendants' conduct committed under color of state law, the defendants deprived the plaintiff, Markisha Major, of her rights, privileges, and immunities under the laws and Constitution of the United States, her right to be free from unreasonable and excessive force, to be free from summary punishment, to be secure in her person and property and to due process of law. As a result, the plaintiff suffered harm in violation of her rights under the law and Constitution of the United States, in particular 42 U.S.C. § 1983.

26. As a direct and proximate result of the acts of all defendants, the plaintiff sustained physical injuries.

27. It was the policy and/or custom of the defendant, City of Philadelphia, to tolerate, condone, and, through inaction, encourage the unconstitutional conduct of police officers



including most especially defendant City of Philadelphia police officers, including but not limited to Defendants Police Officer David Mockus, Badge #4750; Police Officer Raymond Hall, Badge #2920; and Police Officer Vincent Guarna, Badge #9032, who Defendant knew had committed similar acts of physical violence upon individuals while acting under the authority of their office and under color of state law.

28. The defendant, City of Philadelphia, has encouraged, tolerated, ratified, and has been deliberately indifferent to the following patterns, practices and customs and to the need for more or different training, supervision, investigation or discipline in the areas of:

- a. the abuse of police powers, including but not limited to the use of excessive force, the use of summary punishment and deprivation of citizens' due process rights;
- b. the failure of police officers to follow established policies and procedures regarding proper procedure for arrest;
- c. proper procedures, in the manner in which prisoners are housed and processed so that they are not subject to physical abuse at the hands of police so that: i) employees of Defendant City of Philadelphia, including the defendant officers in this case, can be properly trained, supervised and disciplined for conduct related to the performance of their duties; ii) Defendant City of Philadelphia can properly monitor the conduct and performance of their employees to assure compliance with the laws and Constitutions of the United States and the Commonwealth of Pennsylvania; and iii) citizens such as Plaintiffs can determine the identities of those employees who subject them to constitutional violations under such circumstances as presented herein and thereby seek vindication of their constitutional and statutory rights; and
- d. The failure of police officers to prevent, deter, report or take action against the unlawful conduct of other officers under such circumstances as presented herein.

29. Defendant City of Philadelphia failed to properly sanction or discipline officers who are aware of and subsequently conceal and/or aid and abet violations of constitutional rights of citizens by other police officers, thereby causing and encouraging police, including the defendant officers in this case, to violate the rights of citizens such as the plaintiff.

30. By these actions, all defendants, acting in concert and conspiracy, have deprived

the plaintiff of rights secured by the Fourth, Fifth, Eighth, and Fourteenth Amendments to the United States Constitution in violation of 42 U.S.C. §1983.

31. It was the policy or custom of the defendant, City of Philadelphia, to inadequately supervise and train its police officers, thereby failing to adequately discourage further constitutional violations on the part of its officers.

32. The defendant, City of Philadelphia, failed to properly sanction or discipline officers who are aware of and conceal and/or aid and abet violations of constitutional rights of citizens by other City of Philadelphia police officers, thereby causing and encouraging Philadelphia police officers, including the defendant officers in this case, to violate the rights of citizens such as the plaintiff.

33. As a result of the above described policies and customs, police officers employed by the defendant, City of Philadelphia, including but not limited to the individual defendants herein, believed their actions would not be properly monitored by supervisory officers and that misconduct would not be investigated or sanctioned but would be tolerated.

34. The above-described policies and customs demonstrated a deliberate indifference on the part of the policymakers of the City of Philadelphia to the constitutional rights of persons within the City of Philadelphia, and were the cause of the violations of minor plaintiff's rights as described herein.

#### **COUNT IV**

##### **SUPPLEMENTAL STATE CLAIMS - ASSAULT AND BATTERY**

35. Paragraphs 1 through 34 are incorporated herein by reference as though fully set forth at length.

36. The acts and conduct of the defendant officers in this cause of action constitutes assault, battery, and intentional infliction of emotional distress under the laws of the Commonwealth of Pennsylvania and this Court has supplemental jurisdiction to hear and

adjudicate these claims.

**COUNT V**

**SUPPLEMENTAL STATE CLAIMS – FALSE ARREST**

37. Paragraphs 1 through 36 are incorporated herein by reference as though fully set forth at length.

38. The acts and conduct of the defendant officers in detaining and arresting the plaintiff constitutes a false arrest under the laws of the Commonwealth of Pennsylvania and this Court has supplemental jurisdiction to hear and adjudicate these claims.

WHEREFORE, the plaintiff, Markisha Major, requests that the Court:

- a) award compensatory damages to the plaintiff against the defendants jointly and severally;
- b) award exemplary or punitive damages against the defendants;
- c) award reasonable costs and attorney's fees to the plaintiff; *and*
- d) award such other relief as the Court may deem appropriate

JAFFE & HOUGH

By. 

TIMOTHY R. HOUGH, ESQ.  
Attorney for Plaintiff  
I.D. # 40898  
JAFFE & HOUGH  
1907 Two Penn Center Plaza  
15<sup>th</sup> Street & JFK Blvd.  
Philadelphia, PA 19102  
(215) 564-5200



## CIVIL COVER SHEET

16-Q-5107  
16 5107

This civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for use of the Clerk of Court in the process of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

## I. (a) PLAINTIFFS

Markisha Major

## DEFENDANTS

The City of Philadelphia; Phila. Police Officer David Mockus, Badge # 4750; Phila. P.O. Raymond Hall, Badge # 2920; Phila. P.O. Vincent Guara, Badge # 9032. Phila. Police Comm. Richard Ross, Jr.

County of Residence of First Listed Defendant

(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

(b) County of Residence of First Listed Plaintiff Philadelphia County  
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number)

JAFEE &amp; HOUGH

1907 Two Penn Center Plaza, 1500 JFK BLVD  
215 654 5200

## II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- ☐ 1 U.S. Government Plaintiff
- ☒ 3 Federal Question (U.S. Government Not a Party)
- ☐ 2 U.S. Government Defendant
- ☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

## III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- |   | PTF                        | DEF                        |   | PTF                        | DEF                        |
|---|----------------------------|----------------------------|---|----------------------------|----------------------------|
| Citizen of This State                   | <input type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated or Principal Place of Business In This State     | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State                | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business In Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation  | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

## IV. NATURE OF SUIT (Place an "X" in One Box Only)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES	
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	<b>PERSONAL INJURY</b> <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury - Medical Malpractice	<b>PERSONAL INJURY</b> <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability <b>PERSONAL PROPERTY</b> <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other <b>LABOR</b> <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Management Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Employee Retirement Income Security Act <b>IMMIGRATION</b> <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 <b>PROPERTY RIGHTS</b> <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark <b>SOCIAL SECURITY</b> <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) <b>FEDERAL TAX SUITS</b> <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input type="checkbox"/> 375 False Claims Act <input type="checkbox"/> 376 Qui Tam (31 USC 3729(a)) <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 896 Arbitration <input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision <input type="checkbox"/> 950 Constitutionality of State Statutes
<b>REAL PROPERTY</b> <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	<b>CIVIL RIGHTS</b> <input checked="" type="checkbox"/> 440 Other Civil Rights <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 448 Education	<b>PRISONER PETITIONS</b> <b>Habeas Corpus:</b> <input type="checkbox"/> 463 Alien Detainee <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <b>Other:</b> <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement			

## V. ORIGIN (Place an "X" in One Box Only)

- ☒ 1 Original Proceeding
- ☐ 2 Removed from State Court
- ☐ 3 Remanded from Appellate Court
- ☐ 4 Reinstated or Reopened
- ☐ 5 Transferred from Another District (specify)
- ☐ 6 Multidistrict Litigation - Transfer
- ☐ 8 Multidistrict Litigation - Direct File

## VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):

42 U.S.C. 1983

Brief description of cause:  
Civil rights violation

## VII. REQUESTED IN COMPLAINT:

☐ CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P.

DEMAND \$

150,000.00

CHECK YES only if demanded in complaint:

JURY DEMAND:

☒ Yes ☐ No

## VIII. RELATED CASE(S) IF ANY

NONE  
(See instructions):

JUDGE

DOCKET NUMBER

DATE

9/23/16

SIGNATURE OF ATTORNEY OF RECORD

FOR OFFICE USE ONLY

RECEIPT #

AMOUNT

APPLYING IFP

JUDGE

MAG. JUDGE

SEP 23 2016

## UNITED STATES DISTRICT COURT

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5107

**FOR THE EASTERN DISTRICT OF PENNSYLVANIA — DESIGNATION FORM** to be used by counsel to indicate the category of the case for the purpose of assignment to an appropriate calendar.

Address of Plaintiff: Markisha Major, 5001 Duffield Street, Philadelphia, PA 19124

Address of Defendant: Law Department, 1515 Arch Street, Philadelphia, PA 19102

Place of Accident, Incident or Transaction: Philadelphia, PA

(Use Reverse Side For Additional Space)

Does this civil action involve a nongovernmental corporate party with any parent corporation and any publicly held corporation owning 10% or more of its stock?

(Attach two copies of the Disclosure Statement Form in accordance with Fed.R.Civ.P. 7.1(a))

Yes ☐

No ☒

Does this case involve multidistrict litigation possibilities?

Yes ☐

No ☒

RELATED CASE, IF ANY:

Case Number: \_\_\_\_\_ Judge \_\_\_\_\_ Date Terminated: \_\_\_\_\_

Civil cases are deemed related when yes is answered to any of the following questions:

1. Is this case related to property included in an earlier numbered suit pending or within one year previously terminated action in this court?

Yes ☐

No ☒

2. Does this case involve the same issue of fact or grow out of the same transaction as a prior suit pending or within one year previously terminated action in this court?

Yes ☐

No ☒

3. Does this case involve the validity or infringement of a patent already in suit or any earlier numbered case pending or within one year previously terminated action in this court?

Yes ☐

No ☒

4. Is this case a second or successive habeas corpus, social security appeal, or pro se civil rights case filed by the same individual?

Yes ☐

No ☒

CIVIL: (Place ☒ in ONE CATEGORY ONLY)

A. Federal Question Cases:

1. ☐ Indemnity Contract, Marine Contract, and All Other Contracts

2. ☐ FELA

3. ☐ Jones Act-Personal Injury

4. ☐ Antitrust

5. ☐ Patent

6. ☐ Labor-Management Relations

7. ☒ Civil Rights

8. ☐ Habeas Corpus

9. ☐ Securities Act(s) Cases

10. ☐ Social Security Review Cases

11. ☐ All other Federal Question Cases

(Please specify) \_\_\_\_\_

B. Diversity Jurisdiction Cases:

1. ☐ Insurance Contract and Other Contracts

2. ☐ Airplane Personal Injury

3. ☐ Assault, Defamation

4. ☐ Marine Personal Injury

5. ☐ Motor Vehicle Personal Injury

6. ☐ Other Personal Injury (Please specify)

7. ☐ Products Liability

8. ☐ Products Liability — Asbestos

9. ☐ All other Diversity Cases

(Please specify) \_\_\_\_\_

### ARBITRATION CERTIFICATION

(Check Appropriate Category)

I, Timothy R. Hough, Esq., counsel of record do hereby certify:

☒ Pursuant to Local Civil Rule 53.2, Section 3(c)(2), that to the best of my knowledge and belief, the damages recoverable in this civil action case exceed the sum of \$150,000.00 exclusive of interest and costs;

☐ Relief other than monetary damages is sought.

DATE: September 23, 2016

Attorney-at-Law

40898

Attorney I.D.#

NOTE: A trial de novo will be a trial by jury only if there has been compliance with F.R.C.P. 38.

I certify that, to my knowledge, the within case is not related to any case now pending or within one year previously terminated action in this court except as noted above.

DATE: September 23, 2016

Attorney-at-Law

40898

Attorney I.D.#

SEP 23 2016



**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**CASE MANAGEMENT TRACK DESIGNATION FORM** ON 9/23 P 5:23

MARKISHA MAJOR

CIVIL ACTION

USDC-EDPA  
CLERK

v.

PHILADELPHIA POLICE  
OFFICER DAVID MOCKUS,  
BADGE #4750. et al

NO.

16 5107

In accordance with the Civil Justice Expense and Delay Reduction Plan of this court, counsel for plaintiff shall complete a Case Management Track Designation Form in all civil cases at the time of filing the complaint and serve a copy on all defendants. (See § 1:03 of the plan set forth on the reverse side of this form.) In the event that a defendant does not agree with the plaintiff regarding said designation, that defendant shall, with its first appearance, submit to the clerk of court and serve on the plaintiff and all other parties, a Case Management Track Designation Form specifying the track to which that defendant believes the case should be assigned.

**SELECT ONE OF THE FOLLOWING CASE MANAGEMENT TRACKS:**

- (a) Habeas Corpus – Cases brought under 28 U.S.C. § 2241 through § 2255. ( )
- (b) Social Security – Cases requesting review of a decision of the Secretary of Health and Human Services denying plaintiff Social Security Benefits. ( )
- (c) Arbitration – Cases required to be designated for arbitration under Local Civil Rule 53.2. ( )
- (d) Asbestos – Cases involving claims for personal injury or property damage from exposure to asbestos. ( )
- (e) Special Management – Cases that do not fall into tracks (a) through (d) that are commonly referred to as complex and that need special or intense management by the court. (See reverse side of this form for a detailed explanation of special management cases.) ( )
- (f) Standard Management – Cases that do not fall into any one of the other tracks. (4)

SEP 23 2016

<u>September 23, 2016</u>	<u>Timothy R. Hough, Esq.</u>	<u>Plaintiff Major</u>
<b>Date</b>	<b>Attorney-at-law</b>	<b>Attorney for</b>
<u>(215) 564-5200</u>	<u>(215) 563- 8729</u>	<u>jafhough@aol.com</u>
<b>Telephone</b>	<b>FAX Number</b>	<b>E-Mail Address</b>

(Civ. 660) 10/02